

FINAL BILL REPORT

ESSB 6588

FULL VETO As Passed Legislature

Brief Description: Requiring exclusive statewide food service rules for food service establishments.

Sponsors: Senate Committee on Agriculture & International Trade (originally sponsored by Senators Rasmussen and Swecker).

Senate Committee on Agriculture & International Trade
House Committee on Agriculture & Ecology

Background: The State Board of Health adopted food service rules for food service establishments in 1992. Food service establishments are defined in rule to include: restaurants; retail food stores; institutions such as schools, hospitals, and prisons; caterers; mobile food units; bed and breakfasts; and others. The rules exclude private homes, and commercial food processing establishments licensed and regulated by the United States Department of Agriculture, federal Food and Drug Administration and the Washington State Department of Agriculture.

The rules provide that a local health board may adopt more stringent regulations than those contained in these regulations.

Local boards of health have supervision over all matters pertaining to the preservation of the life and health of the people within their jurisdictions and are required to enforce public health statutes of the state and rules promulgated by the State Board of Health and the Secretary of the Department of Health. Local boards of health also have authority to enact local rules necessary to protect public health.

The federal Food and Drug Administration has recently developed and updated a model food code to serve as a guide to states. The State Board of Health has formed an advisory committee to review the current food service rules including an evaluation of the federal model food code.

Summary: Legislative findings are made that the public health interest requires that there be uniform rules food service rules for food service establishments to assure safe food and to facilitate effective training of food handlers.

The State Board of Health must adopt updated food service rules no later than December 31, 2004, in consultation with local boards of health and the regulated community. At that time, the State Board of Health has sole rule-making authority to adopt food service rules for food service establishments, and the Department of Health has exclusive authority to interpret the rules. Local health departments administer the state food service rules, except that local health departments are not prohibited from adopting a temporary deviation from the state rules for a limited period of time to respond to an emergency that threatens the public health

or safety. A temporary deviation shall not be in force for more than 180 days unless the State Board of Health grants a further temporary or permanent extension based on demonstrated need. Within 120 days of the time that the local emergency action is taken, the State Board of Health must determine if the state board should adopt a statewide rule.

Votes on Final Passage:

Senate	29	20
House	90	6